

Patent
Attorney's Docket No. 032396-043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
WRIGHT et al.)	NON-FEE AMENDMENT
Application No.: 09/296,264)	Group Art Unit: 1635
Filed: April 22, 1999)	Examiner: M. Schmidt
For: NEUROFILIN ANTISENSE)	
OLIGONUCLEOTIDE SEQUENCES)	
AND METHODS OF USE SAME TO)	
MODULATE CELL GROWTH)	

REPLY TRANSMITTAL LETTER

RECEIVED

AUG 17 1999

TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply to the Office Action mailed on August 6, 1999 for the above-identified patent application.

- [X] Also enclosed are copies of the Transmittal Letter for Missing Parts of Application, Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, Reply and Preliminary Amendment, paper copy of the Sequence Listing and a date stamped returned postcard
- [X] Also enclosed is a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on August 6, 1999.
- [X] A statement claiming small entity status was submitted previously.
- [X] No additional claim fee is required.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

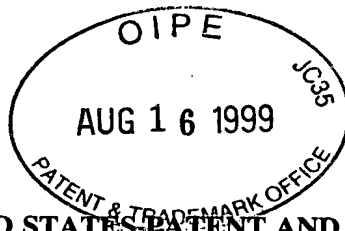
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Leslie Mooi
Leslie A. Mooi
Registration No. 37,047

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 854-7400

Date: August 13, 1999



copy

COPY

Patent
Attorney's Docket No. 032396-043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
WRIGHT et al.)
)
Application No.: 09/296,264) Group Art Unit: 1643
)
Filed: April 22, 1999) Examiner: Unassigned
)
For: NEUROPILIN ANTISENSE)
)
OLIGONUCLEOTIDE SEQUENCES AND)
)
METHODS OF USING SAME TO)
)
MODULATE CELL GROWTH)

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

BOX: MISSING PART

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R.
§ 1.53(e) dated May 13, 1999, enclosed please find:

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s) and the surcharge of ☒ \$65.00 ☐ \$130.00 as set forth in 37 C.F.R. § 1.16(e);
- ☐ Note that the inventor(s) identified on the currently filed Combined Declaration and Power of Attorney are different than listed on the application filing papers.
- ☒ a Declaration Claiming Small Entity Status;
- ☐ a Petition for Extension of Time;
- ☒ a Reply and Preliminary Amendment;
- ☐ an Assignment document and the \$40.00 Assignment Recording Fee;
- ☒ other a copy of the Notice to File Missing Parts of Application;
- ☒ other a copy of the Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
- ☒ other a paper copy and a computer readable copy of the Sequence Listing;
- ☒ a check in the amount of \$ 562.00 (\$65.00 for the surcharge fee and \$497.00 for the filing fee due); and
- ☐ charge \$_____ to Deposit Account No.02-4800 for the fee due.

COPY

Transmittal Letter for Missing Parts of Application

Application No. 09/296,264

Attorney's Docket No. 032396-043

Page 2

[] charge \$_____ to Deposit Account No. 02-4800 for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 854-7400

By: Leslie Mooi
Leslie A. Mooi
Registration No. 37,047

Date: July 6, 1999



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

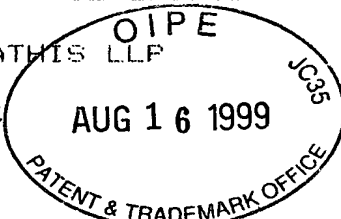
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Washington, D.C. 20231

COPY

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/296,264	04/22/99	WRIGHT	J 032396-043

GERALD F SWISS ESQ
BURNS DOANE SWECKER & MATHIS LLP
P O BOX 1404
ALEXANDRIA VA 22313-1404

0242/0513



NOT ASSIGNED

1643

DATE MAILED:

05/13/99

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7. OTHER: TECH CENTER 1600/2900

RECEIVED

AUG 17 1999

APPLICANT MUST PROVIDE:

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing."
- ☐ An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- ☐ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- ☐ For Rules Interpretation, call (703) 308-1123.
- ☐ For CRF submission help, call (703) 308-4212.
- ☐ For PatentIn software help, call (703) 308-6856.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

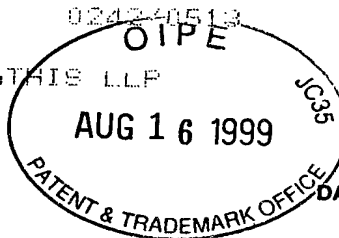
032396-043
Gensense Technology
EFS/LAM/LJB
5-14-99
Sequence Listing Disc
6/13/99



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/296,264	04/22/99	WRIGHT	J 032396-043

GERALD F SWISS ESQ
BURNS DOANE SWECKER & MATHIS LLP
P O BOX 1404
ALEXANDRIA VA 22313-1404



NOT ASSIGNED

1643

DATE MAILED:

05/13/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this **NOTICE** to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 1124.00

☒ 1. The statutory basic filing fee is:

- ☒ missing.
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.
\$ 234.00 for 3 independent claims over 3.
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☒ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice **MUST** be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/296,264 04/22/99 WRIGHT J 032396-043

GERALD F. SWISS ESQ.
BURNS DOANE SWECKER & MATHIS LLP
P O BOX 1404
ALEXANDRIA VA 22313-1404

HM22/0806



EXAMINER

SCHMIDT, M

ART UNIT

PAPER NUMBER

1635

DATE MAILED:

08/06/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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AUG 17 1999
TECH CENTER 1600/2900



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ADDRESS:
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTY. DOCKET NO.
-----------------	-------------	----------------------	------------------



EXAMINER

ART UNIT	PAPER NUMBER
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4

DATE MAILED:

Please find below and/or attached an Office communication concerning the above identified application.

Commissioner of Patents and Trademarks

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Mary M. Schmidt*, whose telephone number is (703) 308-4471. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *George Elliott, Ph.D.* may be reached at (703) 308-4003. The examiner's primary, *John LeGuyader*, may be reached at (703) 308-0447. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

JOHN L. LEGUYADER
PRIMARY EXAMINER
GROUP 1200
600

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

Copy

COPY

Patent

Attorney's Docket No. 032396-043

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

WRIGHT et al.

Application No.: 09/296,264

Filed: April 22, 1999

For: NEUROPILIN ANTISENSE
OLIGONUCLEOTIDE SEQUENCES AND
METHODS OF USING SAME TO
MODULATE CELL GROWTH



Group Art Unit: 1643

Examiner: Unassigned

REPLY AND PRELIMINARY AMENDMENT

BOX: MISSING PART

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in complete reply to the notice to comply with requirements for patent applications containing nucleotide sequence and/or amino acid sequence disclosures dated May 13, 1999. Entry of the following amendments is respectfully requested.

In the Specification

Please insert the paper copy of the Sequence Listing at the end of the application.

REMARKS

It is respectfully requested that the above amendment be entered and that this application be considered in view of the above amendment.

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AUG 17 1999

TECH CENTER 1600/2900

1. **Amendment**

Applicants enclose herewith a paper copy of the Sequence Listing and have amended the specification to insert the paper copy of the Sequence Listing into the application.

COPY

Transmittal Letter for Missing Parts of Application

Application No. 09/296,264

Attorney's Docket No. 032396-043

Page 2

2. Statement

The undersigned hereby states that:

1. the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. §§1.821(c) and (e) respectively, are the same;
2. the submission filed in accordance with 37 C.F.R §1.821(g) does not include new matter.

Early and favorable consideration on the merits is respectfully requested.

Respectfully submitted,

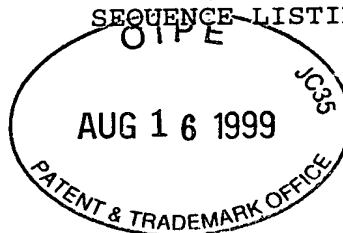
By: Leslie Mooi
Leslie A Mooi
Registration No. 37,047

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650)854-7400

Date: July 6, 1999

copy
COPY

SEQUENCE LISTING



<110> WRIGHT, Jim A.
YOUNG, Aiping H.
LEE, Yoon S.

<120> NEUROFILIN ANTISENSE OLIGONUCLEOTIDE SEQUENCES AND
METHODS OF USING SAME TO MODULATE CELL GROWTH

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AUG 17 1999

TECH CENTER 1600/2900

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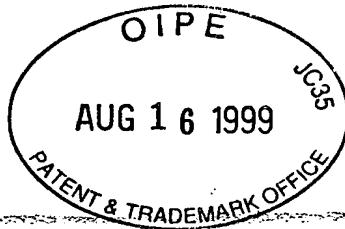
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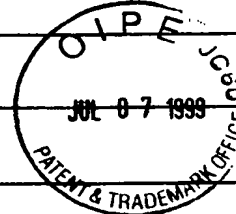
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